

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DOMINIC MILANO,

Plaintiff,

v.

DUNCAN, *et al.*,

Defendants.

Case No. 2:22-cv-0071-JDP (P)

ORDER TO SHOW CAUSE

On September 12, 2024, defendants filed a motion to dismiss. ECF No. 40. To date, plaintiff has not filed a response.


To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

I will give plaintiff a chance to explain why the court should not dismiss the case for his failure to file an opposition or statement of non-opposition to defendants' motion. Plaintiff's failure to respond to this order will constitute a failure to comply with a court order and will result

1 in dismissal of this action. Accordingly, plaintiff is ordered to show cause within twenty-one
2 days why this case should not be dismissed for failure to prosecute and failure to comply with
3 local rules. Should plaintiff wish to continue with this lawsuit, he shall file, within twenty-one
4 days, an opposition or statement of non-opposition to defendants' motion.

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6 IT IS SO ORDERED.

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8 Dated: October 31, 2024


9 JEREMY D. PETERSON
10 UNITED STATES MAGISTRATE JUDGE
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